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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/074,315	02/12/2002	Takeo Kanade	010130	6428

7590 06/30/2005

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EXAMINER

CZEKAJ, DAVID J

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/074,315	Applicant(s) KANADE ET AL.	
	Examiner Dave Czekaj	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 6-10, 12-17, 19-20, 22-27, and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Conley (2001/0028399).

Regarding claims 1, 7, 8-9, 14-16, 20, and 23-24, Conley discloses an apparatus that relates to the production of new visual and aural effects for motion video (Conley: paragraph 0001). This apparatus comprises "capturing an image of the object with a plurality of camera systems, wherein the camera systems are positioned around the scene" (Conley: figure 1B, wherein the object is the diver), "2D projective transforming certain of the images such that a point of interest in each of the images is at a same position as a point of interest in a first image from one of the camera systems" (Conley: paragraphs 0029 and 0065, wherein the transforming is the alteration of the array attributes/image interpolation, which maintain proper image size and orientation in each camera), "outputting the 2D projective transformed images and the first image in a sequence corresponding to a positioning of the camera systems around the scene" (Conley: paragraphs

0017 and 0024, wherein the transformed images are outputted and displayed), and "storing the images from the camera systems" (Conley: paragraph 0020, wherein the pictures are stored on memory).

Regarding claims 2 and 25, Conley discloses "capturing an image of the object with the plurality of camera systems such that the size of the object is substantially the same in each image" (Conley: paragraph 0029, wherein the array attributes are altered to ensure the image is substantially the same).

Regarding claims 3 and 26, Conley discloses "capturing the image at the same instant in time" (Conley: paragraph 0024, wherein the cameras take images simultaneously).

Regarding claims 4, 10, 17, and 27, Conley discloses "receiving an input corresponding to the particular point in time" (Conley: paragraph 0024, wherein the input is the instructions from the human operator).

Regarding claims 6 and 29, Conley discloses "capturing an image with a plurality of pan/tilt cameras" (Conley: paragraph 0007).

Regarding claim 12, Conley discloses "outputting the images in one of a clockwise and counterclockwise sequence" (Conley: paragraph 0024).

Regarding claims 13, 19, and 22, note the examiners rejection for claims 1 and 2.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5, 11, 18, 21, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conley (2001/0028399).

Regarding claims 5, 11, 18, 21, and 28, note the examiners rejection for claim 1, and in addition, 5, 11, 18, 21, and 28 differ from claim 1 in that 5, 11, 18, 21, and 28 further require receiving an input corresponding to the point of interest for each of the images. Although not disclosed, it would have been obvious to receive an indication from a user corresponding to the point of interest (Official Notice). Doing so would have been obvious in order to make the apparatus more versatile by capturing the image the user desires to watch.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US-5489886	02-1996	Wexler et al.
US-5714997	02-1998	Anderson, David P.
US-6133946	10-2000	Cavallaro et al.
US-6157747	12-2000	Szeliski et al.
US-6674461	01-2004	Klapman, Matthew H.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (571) 272-7327. The examiner can normally be reached on Monday - Friday 9 hours.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DJC


VULE
PRIMARY EXAMINER